

### **Remarks/Arguments**

In the non-final Office Action dated March 17, 2008, it is noted that claims 1-14 are pending; that claims 1-9 stand rejected under 35 U.S.C. §102(b); that claims 10-14 stand rejected under 35 U.S.C. §103; that the claim of foreign priority under 35 U.S.C. §119 has been acknowledged; and that all certified copies of the priority documents have been received.

By this response, the claims have been amended to delete reference numerals and clarify certain subject claimed by applicant. For example, the independent claims are amended to clarify the controlling registration of at least one secondary station to a channel at least in part in dependence on said monitored capacity. The clarification is amply supported by the specification, for example, starting on page 10, line 9.

Claim 15 is newly added. The features of claim 15 are supported by the specification, for example, page 8, line 27 to page 9, line 3. No new matter has been added.

#### ***Rejection of Claims 1-9 under 35 U.S.C. §102***

Claims 1-9 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 7,035,644 to Maruyama. This rejection is respectfully traversed.

Claims 1, 6, and 7 are independent claims. Claims 2-5 and 11-15 depend ultimately from claim 1, and claims 8-10 depend ultimately from claim 7.

Claim 1 calls, in part, for, “controlling registration of at least one secondary station to a channel at least in part in dependence on said monitored capacity.” Claims 6 and 7 include a “means for controlling registration of at least one secondary station to a channel at least in part in dependence on said monitored capacity.” While claims 1, 6 and 7 are different, the following remarks will be focussed on claim 1 and will be understood to pertain with equal weight to independent claims 6 and 7.

Maruyama appears to teach a channel assignment request message where a radio terminal may request additional time slots for data transmission (col. 7, line 37 to col. 8, line 11). The Office appears to equate the assignment message as being equivalent to the above mentioned features of claim 1. However, Maruyama does not teach controlling registration of at least one secondary station as claimed by applicant. The channel assignment request message is different from applicant’s claimed features of controlling registration. Furthermore, the cited sections of Maruyama do not mention applicant’s claimed feature. While Maruyama appears to state that

the channel assignment request message may be used to request time slots, there is no suggestion that it is related to any registration.

Thus, it is respectfully submitted that Maruyama fails to teach each and every feature of claim 1. Claims 6 and 7, as pointed out above, include similar features, which are not taught by Maruyama.

Claim 2 calls, in part, for, “comparing the number of secondary stations registered per channel against a predetermined threshold, and blocking registration for those channels having a number of secondary stations registered per channel equal to or above the predetermined threshold.”

The Office points to col. 6, lines 40-51 of Maruyama. However, nowhere is there any suggestion of comparing the number of secondary stations registered per channel against a predetermined threshold. Maruyama only suggests that if no channels are available then the controller reduces the number of channels set to a radio terminal. Maruyama is apparently looking at the number of available channels, which is not the same as comparing the number of secondary stations registered per channel against a predetermined threshold. Furthermore, if there are no channels available, Maruyama teaches reducing the number of channels set to terminal C in order to allow terminal G to have a channel (col. 6, lines 45-58). Reducing the number of channels is different from applicant’s claimed blocking registration for those channels having a number of secondary stations registered per channel equal to or above the predetermined threshold.

Claim 3 calls, in part, for, “a monitored channel having the lowest number of registered secondary stations is used to register an enquiring secondary station.” The Office again points to col. 6, lines 40-51 of Maruyama. However, Maruyama doesn’t mention or even suggest the claimed feature. Maruyama only suggests reducing the number of channels set to terminal C in order to allow terminal G to have a channel. This is not the same as a monitored channel having the lowest number of registered secondary stations is used to register an enquiring secondary station, in fact Maruyama does not even mention a number of registered secondary stations. Maruyama appears to discuss available channels, not registered secondary stations.

Claim 4 calls, in part, for, “wherein beacon signals are transmitted on each radio channel.” The Office points to col. 3, lines 9-14 and col. 8, lines 1-10 of Maruyama. However, there is not even a hint of the claimed feature that beacon signals are transmitted on each radio channel.

In light of these remarks, it is believed that Maruyama does not anticipate or make obvious claims 1-9. Thus, it is submitted that claims 1-9 are allowable under 35 U.S.C. §102. Withdrawal of this rejection is respectfully requested.

***Rejection of Claims 10-14 under 35 U.S.C. §103***

Claim 10 stands rejected under 35 U.S.C. §103 as being unpatentable over Maruyama in view of Bahl et al. (us 2004/0204071) and claims 11-14 stand rejected under 35 U.S.C. §103 as being unpatentable over Maruyama in view of Chin (US 6690938). These rejections are respectfully traversed.

The references Bahl et al. and Chin do not cure the deficiencies in Maruyama discussed above with respect to the independent base claims. Therefore, the combination of Murayama with references Bahl et al. and Chin does not teach, show, or suggest all the elements in claims 10-14.

In light of these remarks and the patentable distinctions discussed above with respect to the independent claims, it is believed that claims 10-14 would not have been obvious to a person of ordinary skill in the art upon a reading of Murayama with references Bahl et al. and Chin, either separately or in combination. Withdrawal of these rejections is respectfully requested.

***Conclusion***

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

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